

SENATE BILL 4271

By Herron

AN ACT to amend Chapter 131 of the Private Acts of 2004; as amended by Chapter 37 of the Private Acts of 2007 and Chapter 36 of the Private Acts of 2007; and any other acts amendatory thereto, relative to the Charter of the City of Lexington.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 131 of the Private Acts of 2004, as amended by Chapter 37 of the Private Acts of 2007, and any other acts amendatory thereto, is amended by deleting Section 7 in its entirety and by substituting instead the following:

Section 7. On the second Thursday in September beginning in 2009 and biennially thereafter, a nonpartisan election shall be conducted by the Henderson County Election Commission at the same hours and places for holding general elections and under the general election laws of the state at which time a Mayor and seven (7) Aldermen shall be elected.

The Mayor and Aldermen shall be elected by popular vote at large.

The candidate for Mayor receiving the most votes shall be declared to be elected. If two (2) or more candidates for Mayor tie for the most votes, a runoff election shall be held between the candidates who tied. The candidate receiving the most votes in the runoff election shall be declared elected. The runoff election shall be held as soon as is practicable.

The seven (7) Aldermanic positions shall be designated as positions one (1) through seven (7). In filing for election, a candidate for Alderman shall select and identify the position sought. All Aldermen shall be elected from the City at large and one (1) Alderman shall be elected to each designated position.

The candidate receiving the most votes in an election for each designated position shall be declared elected as Alderman. If two (2) or more candidates for a designated Aldermanic position tie for the most votes, then the Mayor and Aldermen elected, between whom there is no tie, shall elect one of the candidates involved in the tie by a majority vote at their first meeting. The Mayor shall be allowed a vote only to settle a tie between the Aldermanic candidates.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Lexington. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Lexington and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.